

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

PHILIP FLOYD, §
Plaintiff §
vs. §
§
ANDREA K. BOURESSA, *In her official* §
capacity as a State of Texas District Court §
Judge for Collin County, Texas, RYAN §
HACKNEY, PATRICK YARBOROUGH, §
ELIAS DRAGON, MMWKM ADVISORS, §
LLC, SETH KRETZER AND JIM SKINNER, §
In his official capacity as Sheriff of Collin §
County, Texas, Defendants. §

CIVIL ACTION NO. 4:24-CV-00681

PLAINTIFF'S MOTION FOR SUBSTITUTE SERVICE
ELIAS DRAGON

Plaintiff, PHILIP FLOYD, asks the court to authorize substitute service pursuant to Federal Rules of Civil Procedure, Rule 4 as to ELIAS DRAGON ("Defendant") and would show unto the Court as follows.

1. The address of Defendant's place of employment is 779 W. Main Street, Coppell, TX 75019.
2. Plaintiff has attempted but failed to personally serve ELIAS DRAGON ("Defendant") at his place of employment address on three or more separate occasions. These service attempts and the facts appurtenant thereto are set forth in Exhibit 1 which is attached hereto and is incorporated herein by reference for all purposes.

It further appears to the Court that the manner of service ordered herein will be reasonably effective to give said defendant notice of the lawsuit.

3. Plaintiff asks the court to authorize to Plaintiff to serve Defendant by any one of the following methods:

- A. By Delivering a true copy of the SUMMONS with Citation and Order authorizing substituted service attached, with anyone more than sixteen (16) years of age at 779 W. Main Street, Coppell, TX 75019, OR,
- B. By Attaching a true copy of the SUMMONS with Citation and Order authorizing substitute service, securely to the front door or entry way at

2820 Dallas Parkway, Plano, Texas 75093, and if the property is locked, by attaching securely to the front door at 779 W. Main Street, Coppell, TX 75019.

4. Plaintiff asserts to the Court that the manner of service ordered herein will be reasonably effective to give said Defendant notice of the lawsuit.
5. Plaintiff attaches the Proof of Service of Plaintiff's process server to this motion to establish facts not apparent from the record and incorporates same by reference.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that the motion for substitute service be Granted.

Respectfully Submitted,

/s/ **Douglas T. Floyd**

DOUGLAS T. FLOYD
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AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. **4:24-cv-00681****PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*This summons for **Elias Dragon**was received by me on **8/01/2024**:

- I personally served the summons on the individual at *(place)* on *(date)*; or
- I left the summons at the individual's residence or usual place of abode with *(name)*, a person of suitable age and discretion who resides there, on *,* and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)*, who is designated by law to accept service of process on behalf of *(name of organization)*; or
- I returned the summons unexecuted because **Other** after attempting service at **779 W. Main Street, Coppell, TX 75019**; or
- Other *(specify)*

My fees are \$ 0 for travel and \$ **85.00** for services, for a total of \$ **85.00**.

I declare under penalty of perjury that this information is true.

Date: 08/13/2024



Server's signature

Foluso Odeyale*Printed name and title*

**357 E Corporate Dr
Apt 1014
Lewisville, TX 75067**

Server's address

Additional information regarding attempted service, etc:

8/6/2024 11:12 AM: I spoke with an individual who identified themselves as the front desk employee. Subject Elias Dragon is the boss for main street retirement planning. He is not currently at the office. I will go back to have him served.

8/9/2024 6:09 PM: There was no answer at the address.

8/13/2024 10:16 AM: There was no answer at the address.



Tracking #: 0140319784

